

19412. Adulteration of canned salmon. U. S. v. 52 Cases of Canned Salmon. Consent decree of condemnation. Product released under bond. (F. & D. Nos. 27408, 27413. I. S. Nos. 45737, 45738. S. Nos. 5617, 5618.)

Samples of canned salmon from the shipment herein described having been found to be partly decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Missouri.

On December 21, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 52 cases of canned salmon, remaining in the original and unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about November 2, 1931, by Libby, McNeill & Libby, from Seattle, Wash., and had been transported in interstate commerce from the State of Washington into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Happy-Vale Brand Pink Salmon * * * Packed for Emery Food Co., Chicago, U. S. A."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On February 2, 1932, the Emery Food Co., Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered by the court that the product be delivered to the said claimant, upon payment of costs and the execution of a bond in the sum of \$400, conditioned in part that it should not be sold or disposed of contrary to the provisions of the Federal food and drugs act, and all other laws. It was further ordered by the court that the portion of the product which was found to be fit for human consumption be released, and that the unfit portion be disposed of as directed by this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19413. Adulteration of bluefin herring. U. S. v. 2 Boxes of Bluefin Herring. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28032. I. S. No. 52152. S. No. 6071.)

Samples of herring from the shipment herein described having been found to be infested with worms and unfit for food, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On April 5, 1932, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of two boxes of herring at Chicago, Ill., alleging that the article had been shipped by A. Fjeran, from Two Harbors, Minn., on or about March 30, 1932, and had been transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance. Adulteration was alleged for the further reason that the article consisted of a portion of an animal unfit for food.

On May 11, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19414. Adulteration of apple pomace. U. S. v. 1,050 Bags of Apple Pomace. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27899. I. S. Nos. 50017-50021, incl. S. No. 5934.)

Samples of apple pomace from the shipments herein described having been found to contain arsenic, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On March 12, 1932, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 1,050 bags of apple pomace at Chicago, Ill., alleging that the article had been shipped by M. Steffen & Co., from Coloma, Mich., in various consignments, on or about October 20, October 22, October 27, November 2, 1931, and February 1, 1932, respectively, and had been transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it contained an added poisonous and deleterious ingredient, to wit, arsenic, in an amount which might render the article injurious to health.